UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
3629	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Response to Amendments

1.   This action is in reply to the response filed on April 16, 2009.

2.   Claims 1, 17, and 20 have been amended.

3.   Claims 1-20 are currently pending and have been examined.

4.   The rejections of claims 1-20 have been updated to reflect the amendments.

5.   The Examiner has carefully reviewed the Applicant's response and has determined that the rejection stands and is resubmitted below addressing the claims as modified by said amendments.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

(a)   Determining the scope and contents of the prior art.

(b)   Ascertaining the differences between the prior art and the claims at issue.

(c)   Resolving the level of ordinary skill in the pertinent art.

(d)   Considering objective evidence present in the application indicating obviousness

or nonobviousness.

8.   Claims 1-13, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Raveis, JR US Patent Application Publication US2001/0005829A1; in view of Guardian

Mortgage Documents, herein referred to as "GMD", www.gmd.com .

9.   As per Claims 1, 7 and 17,

Raveis as shown discloses the following limitations:

- *a network accessible by a plurality of users involved in the property transaction;* (see at least Figures 2-7, Abstract: "….managing customer relationships throughout a real estate transaction cycle over a distributed computer network…." and "…buyers and sellers of real estate in a computerized database…"

- *a database, accessible via said network, said database allowing controlled access by the plurality of users and storing data related to said client,* (see at least Figures 2-7, Abstract: "…providing customers with secure access to the computerized database….")

- *a web-based user interface providing access to said database,* (see at least Figures 2-7, paragraph 18: "…during the real estate transaction cycle and providing customers with secure access to the computerized database…"; paragraph 33: "…In the preferred embodiment, the computer network 22 is the Internet. The preferred method of accessing information on the Internet is the World Wide Web, because navigation is intuitive and does not require technical knowledge…")

Raveis teaches all of the limitations described above. Raveis does not distinctly disclose

the following limitations, but Guardian Mortgage Documents (GMD), Products and

Services, however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the property transaction* (see at least, Page 1, "Software Features":… " …GMD's proprietary software allows users to enter loan information into easy-to-use screens (standard or customized). To ensure quality documents, GMD's software incorporates a number of error/default checks….; Page 2, "Document Compliance": "…GMD maintains a database library with thousands of mortgage documents…"; and beginning bottom page 2, continued on page 3, Products and Services Process Flow Chart: Create Documents: GMD Software Document Engine…")

- *and at least a second table defining at least one attribute of a display of information associated with said property transaction*
- *wherein said user interface is dynamically controlled as a function of the at least one attribute defined in the second table.*

(see at least page 1, "Software Features":… " …After entering your data and executing a user proof, you transmit your loan file to GMD's national service center for processing…you may choose to reroute your documents to another office, closing agent, title company or attorney. If you are using GMD's FAX-In Service Bureau, you simply fax or E-mail a worksheet to our national service center and we will input your data, perform a quality assurance review, print the documents and deliver them to you electronically…"; and Products and Services Process Flow Chart: Create Documents: GMD Software Document Engine.

It is old and well known in the art of software programming, particularly automated computer driven network systems to use embedded rules for building customized tables and/or screens to allow instantaneous changes in screens, tables, and/or documents. Examiner interprets "embedded rules" as code. It would have been obvious to one

ordinary skilled in the art at the time of the invention to combine the real estate

networking capabilities of Raveis with Guardian Mortgage Documents loan document

preparation and delivery system because this would be a more efficient way for storing,

creating and delivering high-quality closing documents via the web.

10.   As per Claim 2,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *the property transaction includes legal services* (see at least Raveis, paragraph 88:

    "...notarizing legal documents and Attorney's Fees for legal services provided to the

    lender may also be charged...")

11.   As per Claim 3,

Raveis, and GMD disclose all of the above limitations. Raveis further discloses:

- *the legal services provided are associated with a closing of a real property transaction,*

    and includes services rendered both prior to and after the closing of the real property

    transaction (see at least Raveis, paragraph 88: "...buyer's and seller's attorney may

    also appear as a closing or settlement cost..."; paragraph 93: "...the activity file

    documents and records all the member's real estate transactions, including closing

    documents; records of home-related purchases, accounting of expenditures and

    savings garnered as a result of participation...")

12.   As per Claim 4,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *web-based user interface is generated in response to code operating on a server on*

    the network, by taking the data in the second table and assembling HTML layout and

    object information (see at least figures 1-7, paragraph 23: "...FIG. 2 is a graphical

overview of the partitioning of a Web site in accordance with an embodiment of the present disclosure...";paragraph 33: "...databases for contacts preferably consist of tables...listing databases preferably relate to listings, listing agent, listing MLS, ..."; paragraph 37: "...client computers 16(1)-16(n) allow users to access information on the server 12. The computers 16(1)-16(n) communicate with the distributed computing network 22..."; paragraph 39: "...Web site 80 has a general public section 82, an advertising administration section 84, an activity files section 86 and a Web reporting section 88. Web site 80 includes a plurality of Web pages, links and the like....")

It is old and well known in the art of distributed computer network design when accessing information on the web, that the web files are formatted using HTML and that the web is a component of the Internet which allows Internet addressable resources to be connected to one another. The Web connections are called links or hyperlinks and the server that contains the files is called a website, which contains the documents.

13.   As per Claims 5 and 8,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *web-based user interface is generated in response to software operating on a server on the network, by taking the data in the second table and generating an XML result set and an XSL translation sheet, and where software operating on a user computer loads the XSL translation sheet and process the XML result set to produce browser interpretable HTML code to display the interface at the user computer.* (see at least paragraph 8: "...Web files are formatted using Hypertext Markup Language (HTML) and Web communications occur using the Hypertext Transfer Protocol (HTTP).... Users operating client computers interact with the Web by utilizing application programs known as Web browsers. When connected to a Web site, users, e.g., clients interact with Web pages by using a mouse and pointing and clicking on visual objects on the screen...."; paragraph 31: "...Environment 10 includes server 12, which

communicates with a distributed computer network 22. Server 12 hosts multiple web

sites, houses multiple databases and runs the software to support the system and

method of the subject invention..."; paragraph 40: "...General public section 82 is

information which can be viewed by any user having a client computer 16(1)-16(n) with

a Web browser. Information available to the general public includes a buyer's guide

and a seller's guide. Each guide presents Web pages to provide information and

resources to assist a contact with every phase of the buying and selling process. It

should be recognized by those skilled in the art that the terms "Web page", "video

display" and "screen" may be used interchangeably and are used in this manner

throughout the specification..."

14. As per Claims 6 and 9,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *web-based user interface includes navigational information and is dynamically*

generated in response to information that includes identification of the user. (see at

least paragraph 34: "...the computer network 22 is the Internet...accessing information

on the Internet is the World Wide Web, because navigation is intuitive..."; Abstract:

"...The method includes the steps of receiving and storing data relating to a plurality of

customers including buyers and sellers of real estate in a computerized database...")

15. As per Claim 10,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *wherein the layout of the user interface is a record-set comprising information about*

each field of the interface (see at least Section III: Activity File Section: paragraph 92:

"...allows a client to enter a secure environment within which specific information

relating to the client is stored in a computerized database....thus a record is

established......"; paragraph 94: "...the activity file allows the member to maintain and

analyze records for all transactions related to the home ownership....stores mortgage

papers, closing and settlement documents, records of home-related
purchases....tracks the contact's purchases from vendors..."; paragraph 95:
"...members use their activity file as the portal to all of the services available from the
proprietor...")

16.   As per Claim 11,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *the record-set includes information about the data source of a field of the user
  interface* (see at least Section III: Activity File Section: paragraph 93: "...the activity file
  documents and records all the member's real estate transactions, including closing
  documents...)

17.   As per Claim 12,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *the record-set includes a stored procedure associated with the field* (see at least
  paragraph 40: "...General public section 82 is information which can be viewed by any
  user having a client computer 16(1)-16(n) with a Web browser. Information available to
  the general public includes a buyer's guide and a seller's guide. Each guide presents
  Web pages to provide information and resources to assist a contact with every phase
  of the buying and selling process..."; Section III: Activitiy File Section: paragraph 94:
  "...the activity file keeps the member up-to-date on every aspect of their move and
  homeownership....the activity log tracks when products and services will be
  delivered....allows the member to maintain and analyze records for all transactions
  related to their home....)

18.   As per Claim 13,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *the record-set includes an array* (see at least Figure 3, paragraph 99: "…Current requests area 340 contains three columns for vendors, status and savings…"; paragraph 100: "…home improvements area 360 establishes a record for the contact of the value which was added to the property. For example, four columns could represent the project, vendor, date and savings respectively…")

19.   As per Claim 15,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *the record-set includes data to control the information displayed in response to data identifying a transaction file that a user is seeking access to* (see at least Section III: Activity File Section, and paragraph 98: "…contact general area 310 contains fields for holding contact name and address…mortgage area 320 indicates the history….checklist area 330 indicates ….by selecting the phase an associated checklist webpage….can be accessed….)

20.   As per Claim 16,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *the network hosts a database that is employed to provide system access and automated processing of transactions to users from a plurality of organizations* (see at least paragraph 18:"…the method includes the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database and paragraph 31: "…environment 10 includes server 12, which communicates with a distributed computer network 22…server 12 hosts multiple websites, houses multiple databases….)

21.   As per Claims 18 and 19,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *receiving a request from a user computer for display of information; and in response to the request, generating a user interface card having the requested information displayed therein, where the layout and the data depicted in the card are, at least partially, retrieved from the second table*

- *controlling the information displayed as a function of the user making the request*

(see at least Figure 2, paragraph 101: "...Referring once again to FIG. 2, Web reporting section 88 of Web site 80 provides a user interface to allow management to generate reports within authorized information constraints..."; Figure 5, and section IV: Web Reporting Section, paragraph 102: "...an exemplary web page relating to a vendor...server 12 displays the vendor information...contains a link to policy information associated with the vendor....contains several user selectable fields....website of the vendor..."; paragraph 103: "...further links may be provided from the services sold screen to vendors to facilitate providing requests for proposals...")

22.   As per Claim 20,

Raveis, and GMD disclose all of the above limitations, Raveis further discloses:

- *controlling the information displayed as a function of the transaction* (see at least paragraph 32: "...an Internet server which controls and monitors access to network servers..."; Figure 5 and paragraph 103: "...a move consultant would refer to the services sold screen 500 when discussing the management of a contacts need for goods and services...alternatively a contact may directly access the services sold screen to manage their affairs....")

23.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raveis, in view of GMD, in further view of Bisbee et al., US Patent No US 7,162,635 B2.

24.   As per Claim 14,

Raveis, and GMD disclose all of the above limitations, the combination of Raveis and GMD

does not distinctly disclose the following limitations, but Bisbee however as shown

discloses:

- *the record-set includes an object oriented structure* (see at least column 8, lines 62-

  67:"… forming a data structure from the extracted information such that upon

  rendering the content the information is properly placed with respect to the content and

  includes at least one forgery-resistant indicium that clearly identifies the rendered

  information as a copy; and communicating the data structure to the user. …."; column

  35, lines 58-62:"… The content(s) hash and the authenticated attributes are depicted

  in FIG. 11 as an inner data structure that is used in computing the signer's digital

  signature, which is depicted in FIG. 11 as part of an outer data structure that also

  includes other information elements. Those other information elements preferably

  include an identifier of the hash algorithm used by the signer, an identifier of the digital

  signature algorithm used by the signer…")

It would have been obvious to one of ordinary skill in the art at the time of the invention to

combine the real estate networking capabilities of Raveis and Guardian Mortgage

Documents loan document preparation and delivery system with the document

authentication system of Bisbee because this would be an efficient means for providing

security and protection of electronic information objects, or electronic documents and

other information objects.

Response to Arguments

25.   Applicant's arguments received on April 16, 2009 have been fully considered but they are

not persuasive. With regard to applicant's Remarks beginning on page 6, Information

Disclosure Statement: Applicant references a 547 page NPL document and several pages

to which Examiner requests specific citations and relevance to the present application.

With regard to applicant's Remarks beginning on page 7, Applicant broadly states that that

Raveis, GMD and Bisbee, alone and in combination, fail to disclose the limitation of "said

database further including at least a first table having embedded rules wherein the

embedded rules define a work-flow for the property transaction". " In response, all of the

limitations which Applicant disputes as missing in the applied references is fully disclosed

or obvious in view of the collective teachings of Raveis and GMD and based on the logic of

one ordinarily skilled in the art. The Examiner recognizes that obviousness can only be

established by combining or modifying the teachings of the prior art to produce the claimed

invention where there is some teaching, suggestion, or motivation to do so found either in

the references themselves or in the knowledge generally available to one of ordinary skill

in the art. See In re Fine, 837 F.2d 1071,5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones,

958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). The rationale to modify or combine the

prior art does not have to be expressly stated in the prior art; the rationale may be

expressly or impliedly contained in the prior art or it may be reasoned from knowledge

generally available to one of ordinary skill in the art, established scientific principles, or

legal precedent established by prior case law. In re Fine, 837 F.2d 1071, 5USPQ2d 1596

(Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). See also In

re Eli Lilli & Co., 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion of reliance

on legal precedent); In re Nilssen, 851 F.2d 1401, 7USPQ2d 1500 (Fed. Cir. 1988)

(references do not have to explicitly suggest combining teachings); Ex parte Clapp, 227

USPQ 972 (Bd. Pat. App & Inter); and Es parte Levengood, 28 USPQ2d 1300 (Bd. Pat.

App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

Also in reference to Ex parte Levengood, 28 USPQ2d, 1301, the court stated that

"Obviousness is a legal conclusion, the determination of which is a question of patent law.

Motivation for combining the teachings of the various references need not to explicitly

found in the reference themselves, In re Keller, 642 F.2d 413, 208USPQ 871 (CCPA

1981). Indeed, the Examiner may provide an explanation based on logic and sound scientific reasoning that will support a holding of obviousness. In re Soli, 317 F.2d 941 137 USPQ 797 (CCPA 1963)."

While the applicant discloses "said database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the property transaction and at least a second table defining at least one attribute of a display of information associate with said property transaction".. Raveis discloses in paragraph 33: "...Databases for contacts preferably consist of tables relating to contacts, contact mailings, contact referrals and contact types...", GMD discloses on Page 1, "Software Features":... "...GMD's proprietary software allows users to enter loan information into easy-to-use screens (standard or customized). Raveis further discloses a system and method for managing customer relationships relating to real estate transactions whereby a plurality of client computers are associated with users that can utilize the system simultaneously from the same location or a variety of locations. Environment 10 includes a server which hosts multiple websites and databases which communicates with a distributed computer network, whereby the distributed computer network provides the preferred method of accessing information on the Internet as the web. GMD discloses a web-based input document processing system that enables users to quickly produce mortgage loan documents, validate compliance rules, access to a web-site library and manage and electronically deliver documents. Moreover, it is old and well known in the art of software programming, particularly automated computer driven network systems to use embedded rules for building customized tables and/or screens to allow instantaneous changes in screens, tables, and/or documents. Moreover, Bisbee discloses a document authentication system (DAS) that provides the needed security and protection of electronic information objects, or electronic documents and other information objects, and that advantageously utilizes an asymmetric cryptographic system to help ensure that a party

originating an information object is electronically identifiable as such. Detailed explanations are given in the preceding sections of the present Office Action.

Conclusion

26.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

27.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period fro reply expire later than SIX MONTHS from the date of this final action.

28.   Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Kimberly L. Evans** whose telephone number is **571.270.3929**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **John Weiss** can be reached at **571.272.6812**.

29.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system,

see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov >.　Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free). Any response to this action should be mailed to: **Commissioner of Patents and Trademarks**, P.O. Box 1450, Alexandria, VA 22313-1450 or faxed to **571-273-8300**. Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**: Randolph Building 401 Dulany Street, Alexandria, VA 22314.

/KIMBERLY EVANS/

Examiner, Art Unit 3629

/JOHN G. WEISS/

Supervisory Patent Examiner, Art Unit 3629